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7

8 UNITED STATES DISTRICT COURT
9 SOUTHERN DISTRICT OF CALIFORNIA
10

11 MARISSA GLOVER,

12 Plaintiff,

13 v.

14 CITIBANK, N.A.; AND, EQUIFAX
15 INFORMATION SERVICES, LLC,

16 Defendants.
17
18
19

Case No. 3:16-cv-1786-BEN-BLM

**DEFENDANT CITIBANK, N.A.'S
MOTION FOR LEAVE TO FILE
DECLARATION OF WALTER M.
GOLDEN IN SUPPORT OF
REPLY IN SUPPORT OF
MOTION TO COMPEL
ARBITRATION UNDER SEAL**

United States District Judge Roger T.
Benitez

Action Filed: July 11, 2016

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1 Defendant Citibank, N.A. (“Citibank”) respectfully moves this Court for an
 2 order permitting it to file the Declaration of Walter M. Golden In Support of Reply
 3 In Support of Motion to Compel Arbitration, and its accompanying exhibits, under
 4 seal.

5 As grounds for this motion, Citibank states as follows:

6 1. Golden’s Declaration and its accompanying exhibits contain substantial
 7 personally identifiable information of the plaintiff, Marissa Glover (“Glover”),
 8 which require redaction pursuant to Federal Rule of Civil Procedure 5.2, as well as
 9 Section 1(h) of the United States District Court for the Southern District of
 10 California’s Electronic Case Filing Administrative Policies and Procedures Manual.

11 2. Because a the key issue in Citibank’s pending Motion to Compel
 12 Arbitration is establishing Glover’s business relationship with Citibank, use of
 13 unreacted exhibits, including identity documents such as Glover’s Driver’s License,
 14 is necessary.

15 WHEREFORE, Citibank respectfully requests this Court to enter an order
 16 authorizing Citibank to file the Golden Declaration as well as its accompanying
 17 exhibits under seal. Pursuant to Section 2(j) of the United States District Court for
 18 the Southern District of California’s Electronic Case Filing Administrative Policies
 19 and Procedures Manual, as well as CivLR 79.2(c), Citibank will e-mail a Proposed
 20 Order authorizing the filing of the Golden Declaration under seal to the Court.

21 DATED: October 24, 2016

Respectfully submitted,

BALLARD SPAHR LLP

Scott M. Pearson

Taylor Steinbacher

26 By: /s/ Taylor Steinbacher
 27 Taylor Steinbacher

28 Attorneys for Defendant
 CITIBANK, N.A.

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PROOF OF SERVICE

I am a resident of the State of California, over the age of eighteen years, and not a party to the within action. My business address is **BALLARD SPAHR LLP**, 2029 Century Park East, Suite 800, Los Angeles, CA 90067-2909. On October 24, 2016, I served the within documents:

**DEFENDANT CITIBANK, N.A.'S MOTION FOR LEAVE TO FILE
DECLARATION OF WALTER M. GOLDEN IN SUPPORT OF REPLY IN
SUPPORT OF MOTION TO COMPEL ARBITRATION UNDER SEAL and
DECLARATION OF WALTER M. GOLDEN IN SUPPORT OF REPLY IN
SUPPORT OF MOTION TO COMPEL ARBITRATION**

- ☐ **BY FAX:** by transmitting via facsimile the document(s) listed above to the fax number(s) set forth below on this date before 5:00 p.m.
- ☐ **BY HAND:** by personally delivering the document(s) listed above to the person(s) at the address(es) set forth below.
- ☒ **BY MAIL:** by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at Los Angeles, California addressed as set forth below.
- ☐ **BY OVERNIGHT MAIL:** by causing document(s) to be picked up by an overnight delivery service company for delivery to the addressee(s) on the next business day.
- ☐ **BY PERSONAL DELIVERY:** by causing personal delivery by FIRST LEGAL NETWORK of the document(s) listed above to the person(s) at the address(es) set forth below.
- ☒ **BY CM/ECF:** by electronically transmitting a copy of said document(s) to the Clerk's Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing to the aforementioned CM/ECF registrants.


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11 I am readily familiar with the firm's practice of collection and processing
12 correspondence for mailing. Under that practice it would be deposited with the U.S.
13 Postal Service on that same day with postage thereon fully prepaid in the ordinary
14 course of business. I am aware that on motion of the party served, service is
15 presumed invalid if postal cancellation date or postage meter date is more than one
16 day after date of deposit for mailing in affidavit.

17 I declare under penalty of perjury under the laws of the State of California
18 that the foregoing is true and correct.

19 Executed on October 24, 2016 at Los Angeles, California.

20 
21 Debra A. Smith